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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,905	10/23/2003	Melissa W. Dunn	003797.00673	6540
28319	7590	07/12/2006	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR CLIENT NOS. 003797 & 013797 1001 G STREET, N.W. SUITE 1100 WASHINGTON, DC 20001-4597			AL HASHEMI, SANA A	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,905

Applicant(s)

DUNN ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 10-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Original Application filed 5/2/06.
2. Claims 1-9 are pending.
3. Applicant's arguments filed 5/2/06 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Janik (US Patent Application No. 2004/0253945).

Regarding Claim 1, Janik discloses a method of synchronizing data stored in remote stores, the method comprising:

- (a) connecting a first remote store to a computer device (Paragraph 0112, Janik);
- (b) synchronizing data stored within the first remote store with data contained within a first publisher record stored within the computer device (Paragraph 0115, Janik);
- (c) synchronizing the data contained within first publisher record with data contained within a composite record stored on the computer device (Paragraph 0116, Janik);

Art Unit: 2164

(d) synchronizing the contained within composite record with contained within a second publisher record stored within the computer device (Paragraph 0119, Janik).

Regarding Claim 2, Janik discloses a method further including:

(e) synchronizing the contained within second publisher record with data stored within a second remote store (Paragraph 0119, Janik).

Regarding Claim 3, Janik discloses a method further including:

(e) receiving a command from a user to edit the data contained within the composite record (Paragraph 008/4, lines 8-13, Janik); and

(f) comparing the edit command to at least one constraint in a synchronization mapping record corresponding to the first remote store (Paragraph 0084, lines 13-18, Janik);

(g) editing the first publisher record when the edit command does not violate the at least one constraint (Paragraph 0087, Janik).

Regarding Claim 3, Janik discloses a method wherein the composite record is part of a computer operating system (Paragraph 0084, lines 1-7, Janik).

Regarding Claim 5, Janik discloses a method wherein the data contained within the first publisher record comprises contact data (Paragraph 0114, Janik).

Regarding Claim 6, Janik discloses a method wherein the data contained within the first publisher record comprises contact data (Paragraph 0114, Janik).

Regarding Claim 7, Janik discloses a method wherein the data contained within the first publisher record comprises calendar data (Paragraph 0183, Janik).

Regarding Claim 8, Janik discloses a method wherein the data contained within the first publisher record comprises playlist data (Paragraph 0121, Janik).

Regarding Claim 9, Janik discloses a method wherein the data contained within the first publisher record comprises digital certificate data (Paragraph 0144, Janik, wherein the webpage: MSNBC is a digital certificate data).

Response to Arguments

Applicant argues that the Janik reference fails to disclose, “synchronizing data stored within the first remote store with data contained within a first publisher record stored within the computer device”.

Examiner disagrees. At page 9, paragraph 0115 Janik discloses synchronizing user data and related information, which corresponds to publisher record.

Applicant argues that the Janik fails to disclose, “composite record”.

Examiner disagrees. The content editor in paragraph 0156 on page 9, corresponds to the composite record since all the digital content copied from the website to the computer is stored in the content editor.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2164

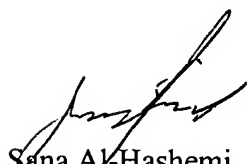
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is 571-272-4013. The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sana Al-Hashemi
Patent Examiner
Technology Center 2100
June 29, 2006